

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

HOWARD STEWART AND ROSE STEWART

PLAINTIFFS

V.

CIVIL ACTION NO. 1:05CV681 LTS-RHW

STATE FARM FIRE AND CASUALTY COMPANY

DEFENDANT

ORDER

In light of the plaintiffs' voluntary dismissal of Defendant Phil Harvey, it appears that the plaintiffs' motion to remand is now moot. Accordingly, it is

ORDERED

That the plaintiffs' motion to remand [2] is hereby **DENIED AS MOOT**;

That the motion for an extension of time to file his answer by the dismissed defendant Phil Harvey [5] is hereby **DENIED AS MOOT**; and

That the **STAY** entered in this action [12] is hereby **LIFTED**.

SO ORDERED this 2nd day of May, 2006.

s/ L. T. Senter, Jr.

L. T. Senter, Jr.
Senior Judge